

THURSDAY, APRIL 4, 1991
THIRTY-FIRST LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Glen Forsee, First Assembly of God, Shelbyville, Tennessee.

Representative Pete Phillips led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative R. Jones; due to business in district.

Representative Turner (Hamilton); due to illness.

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**REPORT OF COMMITTEE ON CALENDAR AND RULES
April 4, 1991**

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar for Monday, April 8, 1991:** House Bill(s) No(s). 376, 1324, 1205, 103, 905, 1006, 1208, 891, 391, 451, 845 and 1266.

We have also set the following bills on the **Regular Calendar for Wednesday, April 10, 1991:** House Bill(s) No(s). 1240.

We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, April 8, 1991:** House Joint Resolution(s) No(s). 109; House Bill(s) No(s). 1211, 1168, 665, 775 and 280; House Resolution No(s). 7, 8, 9 and 10; also, House Joint Resolution(s) No(s). 83 and 127.

PHILLIPS, Chair.

MOTION TO RECESS

Rep. Phillips moved that the House stand in recess to recognize the Shelbyville Central High School Eaglettes and Coach Rick Insell to come to the well to be recognized for a special presentation, which motion prevailed.

REMARKS

The Speaker recognized Rep. Phillips, Sen. Womack, and Coach Insell for remarks.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

CONSENT CALENDAR

House Resolution No. 0037 -- Memorials, Professional and Business Achievement -- Charles Cameron, "Best Award" for Educators.

House Resolution No. 0038 -- Memorials, Professional and Business Achievement -- Claire Yon, "Best Award" for Educators.

House Joint Resolution No. 0187 -- Memorials, Professional and Business Achievement -- John Phillips and Bloomingdale Ruritan Club.

House Joint Resolution No. 0188 -- Memorials, Professional and Business Achievement -- Marvin "T" Tolley and Bloomingdale Ruritan Club.

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House Joint Resolution No. 0189 -- Memorials, Professional and Business Achievement -- Gene Austin and Bloomingdale Ruritan Club.

House Joint Resolution No. 0192 -- Memorials, Sports -- Dyersburg High School girls' basketball team.

House Joint Resolution No. 0193 -- Memorials, Heroism -- Rainn and Joshua Martin.

House Bill No. 1552 -- Lafollette -- Authorizes board of trustees of community hospital to operate other health related services. Amends Chapter 161, Acts of 1897, as amended.

On motion, House Bill No. 1552 was made to conform with Senate Bill No. 1539.

On motion, **Senate Bill No. 1539**, on same subject, was substituted for House Bill No. 1552.

House Bill No. 1553 -- Luttrell -- Revises charter. Amends Chapter 94, Private Acts of 1965, as amended.

House Bill No. 1564 -- Smithville -- Provides for popular election of judge of city court. Amends Chapter 486, Private Acts of 1941, as amended.

Senate Joint Resolution No. 0155 -- Memorials, Death -- Harry Lee Hasty.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1564; by Rep. Buck with the request that the bill be held on the Clerk's desk.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	95
Noes.	0
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels,

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Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Turner (Shelby), Winningham -- 2.

A motion to reconsider was tabled.

SPECIAL CONSENT CALENDAR

(Reset from Calendar of April 3, 1991) on suspension of rules

***House Bill No. 0254 -- Sunset Laws --** Extends termination date of interstate mining compact. Amends TCA, Title 4, Ch. 29; Title 59, Ch. 10.

Amendment No. 1

Amend House Bill No. 254 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Interstate mining compact, created by § 59-10-101;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0164 -- Sunset Laws --** Extends termination date of alcoholic beverage commission. Amends TCA, Title 4, Ch. 29; Title 8, Ch. 50; Title 12, Ch. 2; Title 47, Ch. 18; Title 53, Ch. 1; Title 57; Title 60, Ch. 4; Title 62, Ch. 33; Title 67, Ch. 4.

Amendment No. 1

Amend House Bill No. 164 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Alcoholic beverage commission, created by § 57-1-102;

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Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0239** -- Sunset Laws -- Extends termination date of board of dispensing opticians. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 14; Title 68, Ch. 1.

Amendment No. 1

Amend House Bill No. 239 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of dispensing opticians, created by § 63-14-101;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0163** -- Sunset Laws -- Extends termination date of board of examiners in psychology. Amends TCA, Title 4, Ch. 29; Title 27, Ch. 9; Title 63, Ch. 11; Title 68, Ch. 1.

Amendment No. 1

Amend House Bill No. 163 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of examiners in psychology, created by § 63-11-101;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0165** -- Sunset Laws -- Extends termination date of board of nursing. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 4; Title 63, Chs. 1, 7, 8, 22; Title 68, Ch. 1.

Amendment No. 1

Amend House Bill No. 165 by deleting Section 2 in its entirety and by substituting instead the following:

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SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of nursing, created by § 63-7-201;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0160 -- Sunset Laws --** Extends termination date of board of chiropractic examiners. Amends TCA, Title 27, Ch. 9; Title 63, Ch. 4; Title 68, Chs. 1, 23.

Amendment No. 1

Amend House Bill No. 160 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of chiropractic examiners, created by § 63-4-102;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0236 -- Sunset Laws --** Extends termination date of board of examiners for nursing home administrators. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 16; Title 68, Ch. 11.

Amendment No. 1

Amend House Bill No. 236 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of examiners for nursing home administrators, created by § 63-6-102;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0153 -- Sunset Laws --** Extends termination date

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of board of examiners of speech pathology and audiology. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 17; Title 68, Ch. 1.

Amendment No. 1

Amend House Bill No. 153 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of examiners of speech pathology and audiology, created by § 63-17-104;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0256 -- Sunset Laws --** Extends termination date of board of osteopathic examination. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 9; Title 68, Ch. 1.

Amendment No. 1

Amend House Bill No. 256 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of osteopathic examination, created by § 63-9-101;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0255 -- Sunset Laws --** Extends termination date of Tennessee claims commission. Amends TCA, Title 4, Ch. 29; Title 9, Ch. 8.

Amendment No. 1

Amend House Bill No. 255 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Tennessee claims commission, created by § 9-8-301;

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Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0158 -- Sunset Laws --** Extends termination date of board of dentistry. Amends TCA, Title 4, Ch. 29; Title 27, Ch. 9; Title 63, Ch. 5; Title 68, Chs. 1, 11, 23.

Amendment No. 1

Amend House Bill No. 158 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of dentistry, created by § 63-5-101;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0157 -- Sunset Laws --** Extends termination date of state board of examiners for registered professional environmentalists. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 17; Title 68, Ch. 1.

Amendment No. 1

Amend House Bill No. 157 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() State board of examiners for registered professional environmentalists, created by § 62-17-103;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0237 -- Sunset Laws --** Extends termination date of board of medical examiners. Amends TCA, Title 4, Ch. 29; Title 56, Ch. 3; Title 63, Chs. 6, 8, 19, 24; Title 68, Ch. 11.

Amendment No. 1

Amend House Bill No. 237 by deleting Section 2 in its entirety and by substituting instead the following:

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SECTION 2. Board of medical examiners, created by § 63-6-101;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

House Bill No. 0240 -- Sunset Laws -- Extends termination date of board of podiatry. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 3; Title 68, Ch. 1.

Amendment No. 1

Amend House Bill No 240 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of registration in podiatry, created by § 63-3-103;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0159** -- Sunset Laws -- Extends termination date of board of veterinary medical examiners. Amends TCA, Title 4, Ch. 29; Title 44, Ch. 2; Title 63, Ch. 12; Title 68, Chs. 1, 8.

Amendment No. 1

Amend House Bill No. 159 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of veterinary medical examiners, created by § 63-12-104;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0887** -- Sunset Laws -- Extends termination date of advisory council, Cordell Hull birthplace. Amends TCA, Title 4, Chs. 11, 13, 29.

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Amendment No. 1

Amend House Bill No. 887 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Advisory council, Cordell Hull birthplace, created by § 4-13-601;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0244 -- Sunset Laws --** Extends termination date of Tennessee growth fund, board of directors. Amends TCA, Title 4, Chs. 17, 29; Title 45, Ch. 8.

Amendment No. 1

Amend House Bill No. 244 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new subdivision thereto, as follows:

() Tennessee growth fund, board of directors, created by § 4-17-204;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

House Bill No. 0180 -- Sunset Laws -- Extends termination of board of optometry. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 8; Title 68, Ch. 1.

Amendment No. 1

Amend House Bill No 180 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of optometry, created by § 63-8-103;

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Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0261 -- Sunset Laws --** Extends termination date of department of finance and administration. Amends TCA Titles 1-71.

Amendment No. 1

Amend House Bill No. 261 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Department of finance and administration, created by § 4-3-101;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0889 -- Sunset Laws --** Extends termination date of commodity producer indemnity board. Amends TCA, Title 4, Ch. 29; Title 43, Ch. 32.

Amendment No. 1

Amend House Bill No. 889 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Commodity producer indemnity board, created by § 43-32-204;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0252 -- Sunset Laws --** Extends termination date of board of dietitian/nutritionist examiners. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 25; Title 68, Ch. 11.

Amendment No. 1

Amend House Bill No. 252 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section

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4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of dietitian/nutritionist examiners, created by § 63-25-106;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0047 -- Sunset Laws --** Extends termination date of occupational safety and health administration labor advisory council. Amends TCA, Title 4, Ch. 29; Title 50, Ch. 3.

Amendment No. 1

Amend House Bill No. 47 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Occupational safety and health administration labor advisory council, created by § 50-3-919;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

House Bill No. 0333 -- Sunset Laws -- Extends termination date of department of personnel. Amends TCA, Title 4, Chs. 3, 29.

Amendment No. 1

Amend House Bill No. 333 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new subsection thereto, as follows:

() Department of personnel, created by § 4-3-101;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0166 -- Sunset Laws --** Extends termination date of Tennessee medical laboratory board. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 29.

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Amendment No. 1

Amend House Bill No. 166 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Tennessee medical laboratory board, created by § 68-29-109;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0888** -- Sunset Laws -- Extends termination date of utility management review board. Amends TCA, Title 4, Ch. 29; Title 7, Ch. 82; Title 67, Ch. 3.

Amendment No. 1

Amend House Bill No 888 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Utility management review board, created by § 7-82-701;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0234** -- Sunset Laws -- Extends termination date of state certification commission. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 5.

Amendment No. 1

Amend House Bill No.234 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() State certification commission, created by s 49-5-5101;

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Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

***House Bill No. 0233 -- Sunset Laws --** Extends termination date of board of claims. Amends TCA, Title 4, Ch. 29; Title 9, Ch. 8.

Amendment No. 1

Amend House Bill No. 233 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-212(a), is amended by adding a new item thereto, as follows:

() Board of claims, created by § 9-8-101;

Rep. Phillips moved adoption of Government Operations Committee Amendment No. 1.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all amendments be adopted to House bills on the Special Calendar and that all House Bills be passed, as amended, on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 0772 -- Taxes -- Repeals Beneficial Use Tax Act of 1990. Repeals TCA, Title 67, Ch. 4, Pt. 15.

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Further consideration of House Bill No. 772, previously considered on March 27 and April 1, 1991, at which time it was reset to the Calendar for April 4, 1991.

Rep. Kisber moved that House Bill No. 772 be passed on third and final consideration.

Rep. Severance moved the previous question, which motion failed by the following vote:

Ayes.	60
Noes.	29
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Dixon, Fowlkes, Garrett, Haley, Harrill, Hassell, Head, Hillis, Holcomb, Holt, Hubbard, Jackson, Johnson, Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, Moore, Napier, Nuber, Odom, Pinion, Pruitt, Purcell, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tullos, Turner (Shelby), Venable, West, Winningham, Wix -- 60.

Representatives voting no were: Armstrong, Arriola, Callicott, Chumney, Coffey, Davis (Knox), Duer, Ferguson, Givens, Gunnels, Haltman, Haun, Hill, Jones U (Shelby), Kernell, McKee, Niceley, Peroulas Draper, Rhinehart, Robinson (Davidson), Stamps, Tindell, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Wood, Mr. Speaker Naifeh -- 29.

Representatives present and not voting were: Hargrove, Meyer -- 2.

Rep. Odom moved the previous question, which motion failed by the following vote:

Ayes.	57
Noes.	30
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Dixon, Fowlkes, Garrett, Haley, Haltman, Hassell, Head, Hillis, Holcomb, Holt, Jackson, Johnson, Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Pinion, Purcell, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Turner (Shelby), West, Whitson, Winningham, Wix -- 57.

Representatives voting no were: Armstrong, Callicott, Chiles, Chumney, Coffey, Davis (Knox), DeBerry, Duer, Ferguson, Givens, Gunnels, Harrill, Hill, Hubbard, Jones U (Shelby), Kernell, Niceley, Nuber, Rhinehart, Ridgeway, Shirley, Stamps, Tindell, Tullos,

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Venable, Walley, Williams (Shelby), Williams (Union), Windle, Wood -- 30.

Representatives present and not voting were: Haun, Meyer -- 2.

Rep. Duer moved that House Bill No. 772 be set as a special order on the Calendar behind House Bill No. 1446.

Rep. Kisber moved to table the motion to set a special order, which motion prevailed by the following vote:

Ayes.	47
Noes.	45
Present and not voting.	1

Representatives voting aye were: Allen, Bell, Bittle, Bivens, Bragg, Byrd, Chumney, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Garrett, Haley, Halteman, Harrill, Head, Herron, Hillis, Holt, Hubbard, Jackson, Johnson, Kent, King, Kisber, Knight, Love, Meyer, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Robinson (Hamilton), Sipes, Turner (Shelby), West, Whitson, Mr. Speaker Naifeh -- 47.

Representatives voting no were: Anderson, Armstrong, Arriola, Buck, Callicott, Chiles, Coffey, Cross, Davis (Cocke), Davis (Knox), Duer, Ferguson, Fowlkes, Givens, Gunnels, Hargrove, Hassell, Hill, Holcomb, Joyce, Kernell, Liles, McDaniel, McKee, Niceley, Nuber, Peroulas Draper, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Venable, Walley, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 45.

Representatives present and not voting were: Haun -- 1.

Rep. Copeland moved the previous question, which motion failed by the following vote:

Ayes.	59
Noes.	32
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Bittle, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Dixon, Garrett, Haley, Halteman, Hassell, Haun, Head, Hillis, Holt, Jackson, Johnson, Joyce, Kent, King, Kisber, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Nuber, Odom, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tullos, Turner (Shelby), Walley, West, Whitson, Mr. Speaker Naifeh -- 59.

Representatives voting no were: Armstrong, Arriola, Bell, Callicott, Chiles, Coffey, Cross, Davis (Knox), DeBerry, Duer, Ferguson, Givens, Gunnels, Harrill, Herron, Hill, Holcomb, Hubbard, Jones U (Shelby), Kernell, Knight, Niceley, Peroulas Draper,

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Rhinehart, Stamps, Tindell, Venable, Williams (Shelby), Williams (Union), Windle, Winningham, Wood -- 32.

Representatives present and not voting were: Fowlkes, Meyer, Robinson (Davidson) -- 3.

Rep. Givens moved that House Bill No. 772 be re-referred to the Calendar and Rules Committee.

Rep. Kisber moved to table the motion to re-refer, which motion failed by the following vote:

Ayes.	47
Noes.	47
Present and not voting.	1

Representatives voting aye were: Armstrong, Bittle, Bivens, Bragg, Byrd, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Garrett, Haley, Halteman, Harrill, Hassell, Head, Holt, Hubbard, Jackson, Johnson, Kent, Kernell, King, Kisber, Liles, Love, McAfee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pruitt, Purcell, Robinson (Hamilton), Sipes, Turner (Shelby), West, Whitson, Wood, Mr. Speaker Naifeh -- 47.

Representatives voting no were: Allen, Anderson, Arriola, Bell, Buck, Callicott, Chiles, Chumney, Coffey, Cross, Davis (Knox), Duer, Ferguson, Fowlkes, Givens, Gunnels, Hargrove, Herron, Hill, Hillis, Holcomb, Joyce, Knight, McDaniel, McKee, Meyer, Niceley, Nuber, Pinion, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Venable, Walley, Williams (Shelby), Williams (Union), Windle, Winningham, Wix -- 47.

Representatives present and not voting were: Haun -- 1.

Rep. Buck moved the previous question, which motion prevailed.

Rep. Givens moved to re-refer the bill to Calendar and Rules, which motion failed by the vote:

Ayes.	44
Noes.	48
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Buck, Callicott, Chiles, Chumney, Coffey, Cross, Davis (Cocke), Davis (Knox), Duer, Ferguson, Fowlkes, Givens, Gunnels, Hargrove, Herron, Hill, Holcomb, Jones U (Shelby), McDaniel, McKee, Meyer, Niceley, Pinion, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Shirley, Stamps, Tindell, Venable, Walley, Williams (Shelby), Williams (Union), Windle, Winningham, Wix -- 44.

Representatives voting no were: Bittle, Bivens, Bragg, Byrd,

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Clark, Cole, Copeland, Crain, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Haley, Halteman, Harrill, Hassell, Head, Hillis, Holt, Hubbard, Jackson, Johnson, Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, Moore, Napier, Nuber, Odom, Peroulas Draper, Phillips, Purcell, Robinson (Hamilton), Severance, Sipes, Tullos, Turner (Shelby), West, Whitson, Wood, Mr. Speaker Naifeh -- 48.

Representatives present and not voting were: Haun, Pruitt -- 2.

Rep. Buck moved the previous question, which motion prevailed.

Rep. Kisber moved that **House Bill No. 772** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	65
Noes.	27
Present and not voting.	3

Representatives voting aye were: Allen, Bittle, Bivens, Bragg, Byrd, Callicott, Chumney, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Fowlkes, Garrett, Haley, Halteman, Harrill, Hassell, Haun, Head, Hillis, Holcomb, Holt, Hubbard, Jackson, Johnson, Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, Moore, Napier, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tullos, Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Wood, Mr. Speaker Naifeh -- 65.

Representatives voting no were: Anderson, Arriola, Bell, Buck, Chiles, Coffey, Cross, Davis (Knox), Duer, Ferguson, Givens, Gunnels, Herron, Hill, Jones U (Shelby), McDaniel, McKee, Rhinehart, Ridgeway, Robinson (Davidson), Stamps, Tindell, Walley, Williams (Union), Windle, Winningham, Wix -- 27.

Representatives present and not voting were: Armstrong, Hargrove, Meyer -- 3.

A motion to reconsider was tabled.

House Bill No. 0685 -- Education -- Establishes reserve fund. Amends TCA, Title 49, Ch. 6.

On motion, House Bill No. 685 was made to conform with Senate Bill No. 675.

On motion, **Senate Bill No. 675**, on same subject, was substituted for House Bill No. 685.

Rep. Winningham moved that **Senate Bill No. 675** be passed on third and final consideration.

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On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Winningham moved that **Senate Bill No. 675** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from present not voting to aye on **Senate Bill No. 675** and have this statement entered in the Journal.

Rep. Kenneth Meyer

REGULAR CALENDAR, CONTINUED

House Bill No. 1237 -- Boats, Boating -- Requires certain commercial boating facilities to provide facilities for disposal of raw sewage; prohibits discharge of raw sewage under certain circumstances. Amends TCA, Title 69.

Further consideration of **House Bill No. 1237**, previously considered on April 1, 1991, at which time it was reset to the Calendar for April 4, 1991.

On motion, **House Bill No. 1237** was made to conform with **Senate Bill No. 841**.

On motion, **Senate Bill No. 841**, on same subject, was substituted for **House Bill No. 1237**.

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Rep. Hargrove moved that **Senate Bill No. 841** be passed on third and final consideration.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 1.

Rep. McKee moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 841 by adding the following as a new subdivision (d) at the end of Section 1:

(d) A person, firm, corporation or business entity operating a commercial boating facility, dock or marina as provided in subsection (a) of this section shall be exempt from the requirements of this section if such operator has entered into a valid agreement for the disposal of its raw sewage with another local boating facility, dock or marina. This exemption shall apply only where such other facility meets each of the requirements provided in this act for the sanitary pumping and disposal of raw sewage.

On motion, Amendment No. 2 was adopted by the following vote:

Ayes.	66
Noes.	19
Present and not voting.	12

Representatives voting aye were: Allen, Anderson, Arriola, Bivens, Bragg, Buck, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Harrill, Hassell, Head, Hill, Holcomb, Holt, Huskey, Johnson, Jones U (Shelby), King, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Sipes, Stamps, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Wix -- 66.

Representatives voting no were: Armstrong, Bell, Bittle, Byrd, Callicott, Coffey, Givens, Halteman, Hargrove, Hillis, Hubbard, Jackson, Kernell, Odom, Peroulas Draper, Severance, Tindell, Winningham, Wood -- 19.

Representatives present and not voting were: Chumney, Cole, Haun, Herron, Joyce, Kent, Kisber, Pruitt, Purcell, Rigsby, Shirley, Mr. Speaker Naifeh -- 12.

Rep. McDaniel moved that Amendment No. 3 be withdrawn, which motion prevailed.

Thereupon, Rep. Hargrove moved that **Senate Bill No. 841**, as

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amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 841 and have this statement entered in the Journal.

Rep. Ray Hill

REGULAR CALENDAR, CONTINUED

House Bill No. 0934 -- District Attorneys -- Authorizes district attorney to appoint certain other attorneys to conduct certain specific proceedings. Amends TCA 8-7-106.

Rep. Buck moved that House Bill No. 934 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper,

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Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 934 and have this statement entered in the Journal.

Rep. Ken Givens

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 0937 -- Attorney General and Reporter -- Authorizes disclosure of certain securities and investment information to certain regulatory and enforcement authorities. Amends TCA 45-2-1603, 45-2-1717.

Rep. Buck moved that House Bill No. 937 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

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Representatives present and not voting were: Collier -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 937 and have this statement entered in the Journal.

Rep. Page Walley

RULES SUSPENDED

Rep. Severance moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 198 out of order, which motion prevailed.

House Joint Resolution No. 0198 -- Memorials, Sports -- Coach Pat Head Summitt and University of Tennessee Lady Volunteers, national champions. by *Severance, *Head, *Armstrong.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Severance, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullios, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

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MESSAGE FROM THE SENATE

April 4, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 60; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REGULAR CALENDAR, CONTINUED

House Bill No. 0193 -- County Government -- Allows retention of civil penalties by county health departments under certain circumstances. Amends TCA 4-3-204.

On motion, House Bill No. 193 was made to conform with Senate Bill No. 60.

On motion, **Senate Bill No. 60**, on same subject, was substituted for House Bill No. 193.

Rep. Haley moved that **Senate Bill No. 60** be passed on third and final consideration.

On motion, Rep. Dixon withdrew Health and Human Resources Committee Amendment No. 1.

Rep. Haley moved that **Senate Bill No. 60** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Joyce, Kent, Kernell, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Jones U (Shelby), King -- 2.

A motion to reconsider was tabled.

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House Bill No. 0658 -- Workers' Compensation -- Establishes criteria for determining status of work relationship. Amends TCA 50-6-102.

Rep. Clark moved that House Bill No. 658 be passed on third and final consideration.

Rep. Clark moved adoption of Consumer and Employee Affairs Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 658 by deleting the amendatory language immediately preceding the listing of factors in subdivision (9) of Section 1 and by substituting instead the following:

(9) In a work relationship, in order to determine whether an individual is an "employee", or whether an individual is a "subcontractor" or an "independent contractor" the following factors shall be considered:

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Clark moved that **House Bill No. 658**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	6
Present and not voting	3

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Kent, Kernell, King, Kisber, McDaniel, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 84.

Representatives voting no were: Chiles, Harrill, Hill, Joyce, Knight, Liles -- 6.

Representatives present and not voting were: Anderson, Coffey, McKee -- 3.

A motion to reconsider was tabled.

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***House Joint Resolution No. 0049 --** Memorials, Government Officials -- Urges preservation of historical and cultural landmarks.

Rep. West moved that House Joint Resolution No. 49 be adopted.

Rep. West moved to amend as follows:

Amendment No. 1

Amend House Joint Resolution No. 49 by changing the words "directs the Department of Conservation" in the fourth paragraph to "urges the Historical Commission".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. West moved that **House Joint Resolution No. 49**, as amended, be adopted, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 1182 -- Right to Die -- Revises Living Will for those persons utilizing such document for organ or tissue donations. Amends TCA, Title 32, Ch. 11, Pt. 1.

Rep. Herron moved that House Bill No. 1182 be reset to the Calendar for Monday, April 8, 1991, which motion prevailed.

House Bill No. 0270 -- Education -- Revises school attendance laws if a person owns real property located in more than one county. Amends TCA, Title 49, Ch. 6.

On motion, House Bill No. 270 was made to conform with Senate Bill No. 268.

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On motion, **Senate Bill No. 268**, on same subject, was substituted for House Bill No. 270.

Rep. Collier moved that **Senate Bill No. 268** be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1 and 3 (which were identical but placed on the Senate Bill).

Rep. Davidson moved adoption of Education Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 268 by adding in the first paragraph of the amendatory language in Section 1 after the words "parcel of property" the words and figures "with a value of ten thousand dollars (\$10,000) or more as determined by the assessor of property in the affected county".

AND FURTHER AMEND by deleting the second paragraph of the amendatory language in Section 1 of the printed bill in its entirety.

On motion, Amendment No. 2 was adopted.

Rep. Davidson moved adoption of Education Committee Amendment No. 4 as follows:

Amendment No. 3

Amend Senate Bill No. 268 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population, according to the 1980 federal census or any subsequent federal census of:

not less than
58,075
319,625

nor more than
58,175
319,725

On motion, Amendment No. 3 was adopted.

Rep. Knight moved to amend as follows:

Amendment No. 4

Amend Senate Bill No. 268 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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Section _____. The provisions of this act shall not apply in any county having a population of not less than 83,300 nor more than 83,400 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 4 was adopted.

Rep. Collier moved to amend as follows:

Amendment No. 5

AMEND Senate Bill No. 268 by deleting from the amendatory language of Section 1 the sentence which reads as follows:

"Whenever county boundary lines cross through a parcel of property, the children of the families residing on such property shall be eligible to attend either county's school system.";

and by substituting instead the following sentence:

Whenever county boundary lines divide a parcel of property, the children of the family or families residing on such property shall be eligible to attend either county's school system, provided that the portion of such parcel located in the county of non-residence has an assessed value of ten thousand dollars (\$10,000) or more as determined by the assessor of property.

AND FURTHER AMEND by deleting from the amendatory language of Section 1 the sentence which reads as follows:

"If a person owns real property in more than one county, the children of such person shall be eligible to attend the county school system in any county where such real property is located.";

and by substituting instead the following sentence:

If a person owns parcels of real property in one or more counties of non-residence, the children of such person shall be eligible to attend the county school system in any such county if the parcel located therein has an assessed value of ten thousand dollars (\$10,000) or more as determined by the assessor of property.

On motion, Amendment No. 5 was adopted, with Rep. Chumney requesting to be recorded as voting no.

Rep. Davis (Cocke) moved to amend as follows:

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Amendment No. 6

Amend Senate Bill No. 268 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 41,400 nor more than 41,500 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 6 was adopted.

Rep. Rhinehart moved to amend as follows:

Amendment No. 7

Amend Senate Bill No. 268 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 24,400 nor more than 24,500 according to the 1980 federal census or any subsequent federal census.

On motion, Amendment No. 7 was adopted.

Rep. Rigsby moved to amend as follows:

Amendment No. 8

Amend Senate Bill No. 268 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population, according to the 1980 federal census or any subsequent federal census of:

not less than
4,500
31,900

nor more than
4,600
32,000

On motion, Amendment No. 8 was adopted.

Rep. Wix moved to amend as follows:

Amendment No. 9

Amend Senate Bill No. 268 by deleting Section 2.

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Rep. Collier moved that Senate Bill No. 268 be reset to the next available space on the Calendar for Monday, April 8, 1991, which motion prevailed.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, April 8, 1991:

Senate Bill No. 278: Rep. Cross.

House Bill No. 1256: Rep. Purcell.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 270: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 757: Rep(s). Tindell as prime sponsor(s).

House Bill No. 772: Rep(s). Davis (Gibson) as prime sponsor(s).

House Bill No. 1182: Rep(s). Sipes as prime sponsor(s).

House Bill No. 1286: Rep(s). Liles as prime sponsor(s).

House Bill No. 1328: Rep(s). Walley as prime sponsor(s).

House Bill No. 1329: Rep(s). Walley as prime sponsor(s).

House Bill No. 1466: Rep(s). Stamps as prime sponsor(s).

House Joint Resolution No. 127: Rep(s). Ridgeway as prime sponsor(s).

REQUESTS TO BE ADDED AS SPONSORS

The following members requested to add their names as sponsors as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after

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passage of said bill.

House Bill No. 1286: Rep(s). Liles.

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Resolution No. 0039 -- Memorials, Government Officials -- Urges attorney general to appeal Tennessee Small Schools v. McWherter. by *Buck.

Referred by the Speaker to the Judiciary Committee.

House Resolution No. 0040 -- Memorials, Sports -- Middleton High School cheerleaders. by *Walley.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0190 -- Memorials, Government Officials -- Urges Attorney General to appeal Tennessee Small Schools v. McWherter. by *Buck.

Referred by the Speaker to the Judiciary Committee.

House Joint Resolution No. 0194 -- Memorials, Professional and Business Achievement -- Clara Peals. by *Anderson, *Huskey.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0196 -- Memorials, Sports -- Madisonville High School boys' basketball team. by *Harrill.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0197 -- Memorials, Recognition and Thanks -- City of Kingsport. by *Hubbard, *Venable, *Givens.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0199 -- Memorials, Retirement -- Major Luke Worsham. by *McAfee, *Wood, *Copeland, *Robinson C B.

Referred by the Speaker to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1568 -- Bedford County -- Enacts hotel/motel tax. by *Phillips.

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Passed first consideration.

House Bill No. 1569 -- Hardeman County -- Changes powers and duties of highway department. Amends Chapter 34, Private Acts of 1983, as amended. by *Walley.

Passed first consideration.

House Bill No. 1570 -- Celina -- Repeals charter; enacts new Charter. Repeals Chapter 201, Private Acts of 1951, as amended. by *Winningham.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 1565 -- Madison County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1566 -- Jackson -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

April 4, 1991

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1565 and 1566.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

April 4, 1991

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, April 8, 1991**: House Resolution(s) No(s). 40; House Joint Resolution(s) No(s). 194, 196, 197 and 199; also, House Bill(s) No(s). 1565 and 1566.

PHILLIPS, Chair.

MESSAGE FROM THE SENATE

April 4, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate

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Bill(s) No(s). 59, 899, 1141 and 1459; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0059** -- Agriculture, Dept. of -- Mandates that commissioner allow retention of permit fees by certain county health departments. Amends TCA 53-8-205. by *Davis E.

***Senate Bill No. 0899** -- Contractors -- Authorizes board for licensing contractors to issue citations to persons contracting without license. Amends TCA, Title 62, Ch. 6. by *Dunavant.

Senate Bill No. 1141 -- Business and Commerce -- Provides for contract set-asides for disadvantaged businesses. Amends TCA, Title 49, Ch. 3, Pt. 7. Repeals TCA 49-8-114. by *Ford, Davis E.

***Senate Bill No. 1459** -- Accountants -- Increases requirements for certification as certified public accountant. Amends TCA, Title 62, Ch. 1, Pt. 1. by *Hicks.

**ENROLLED BILLS
April 4, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 299, 487, 738 and 1218; House Resolution(s) No(s). 33, 34 and 35; also, House Joint Resolution(s) No(s). 179 and 191; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**SIGNED
April 4, 1991**

The Speaker announced that he had signed the following: House Bill(s) No(s). 299, 487, 738 and 1218; House Joint Resolution(s) No(s). 179 and 191; also, House Resolution(s) No(s). 33, 34 and 35.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
April 4, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 268, 327, 328, 369, 549, 576, 689 and 1267; also,

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House Joint Resolution(s) No(s). 38, 158, 161, 162 and 164; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 4, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1559; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1559 -- Madison County -- Repeals Jackson-Madison County ambulance authority. Repeals Chapter 39, Private acts of 1973, as amended. by *McKnight.

SIGNED
April 4, 1991

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 28, 155, 196, 272, 479, 638, 741, 799, 903 and 1305; also, Senate Joint Resolution(s) No(s). 160.

MESSAGE FROM THE SENATE
April 4, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 173 and 177; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0173 -- Memorials, Sports -- East Tennessee State University men's basketball team. by *Crowe.

Senate Joint Resolution No. 0177 -- Memorials, Recognition and Thanks -- Yom Hashoah memorial service, Capitol grounds, April 9, 1991. by *Cohen.

MESSAGE FROM THE SENATE
April 4, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 300, 1261 and 1403; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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**MESSAGE FROM THE SENATE
April 4, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 166, 167, 168, 170, 171, 172, 173, 174 and 175; concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**MESSAGE FROM THE SENATE
April 4, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1276; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**MESSAGE FROM THE SENATE
April 4, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 174 and 176; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

Senate Joint Resolution No. 0174 -- Memorials, Public Service --
Dr. Alexander B. Morrison, The Church of Jesus Christ of Latter Day Saints. by *Crutchfield.

Senate Joint Resolution No. 0176 -- Memorials, Sports --
Kingsbury High school boys' basketball team, Class AA state champions. by *Kyle.

**MESSAGE FROM THE SENATE
April 4, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 299, 487, 738 and 1218; also, House Joint Resolution(s) No(s). 179 and 191; signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**MESSAGE FROM THE SENATE
April 4, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate

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Bill(s) No(s). 61, 117, 230, 351, 488, 516, 574, 586, 914 and 1386; also, Senate Joint Resolution(s) No(s). 147, 148 and 149; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
April 4, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1001; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
April 4, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 161, 163, 165 and 166; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0161 -- Memorials, Death -- George W. Grider. by *Cohen, Person, Dunavant, Kyle, Ford, Davis E, Wilder.

Senate Joint Resolution No. 0163 -- Memorials, Public Service -- Bobby Jones, Mayor of Goodlettsville. by *Haynes, Hicks.

Senate Joint Resolution No. 0165 -- Memorials, Public Service -- Meharry Association of Office Personnel. by *Davis E, *Harper.

Senate Joint Resolution No. 0166 -- Memorials, Professional and Business Achievement -- Dr. Gordon E. Hunter, Tennessee Professor of the Year. by *Burks.

**MESSAGE FROM THE SENATE
April 4, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 366, 575, 698, 773, 937, 1107, 1423, 1481 and 1537; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 0366 -- Budget Procedures -- Provides mechanism for amending county budget. Amends TCA, Title 5, Chs. 9, 12, 21.

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by *Crowe.

***Senate Bill No. 0575** -- Taxes, Assessment -- Gives taxpayer right to hearing to show cause for failure to file appeal to board. Amends TCA, Title 67, Ch. 5, Pt. 14. by *Kyle.

***Senate Bill No. 0698** -- Railroads -- Increases supervision fees charged for inspection. Amends TCA 65-3-201. by *Hamilton, Hicks, McKnight, Haynes.

***Senate Bill No. 0773** -- Trusts -- Authorizes trustee to take appropriate action to preclude or minimize imposition of generation-skipping tax; applies to certain trusts. Amends TCA, Title 35, Ch. 50. by *Gilbert, Atchley.

***Senate Bill No. 0937** -- Unclaimed Property -- Requires holder of unclaimed property to give actual or constructive notice of charges or deductions and to file report; revises penalty. Amends TCA, Title 66, Ch. 29, Pt. 1. by *Darnell.

***Senate Bill No. 1107** -- Taxes, Sales -- Exempts certain items. Amends TCA, Title 67, Ch. 6, Pt. 3. by *Atchley, *Gilbert.

***Senate Bill No. 1423** -- Pensions and Retirement Benefits -- Expands certain policemen's right to employment without loss of benefits. Amends TCA, Title 8, Ch. 36. by *Crowe, *McKnight.

Senate Bill No. 1481 -- Taxes, Real Property -- Permits informal dispositions in certain property tax appeals. Amends TCA 67-5-1505. by *Henry.

Senate Bill No. 1537 -- Hamilton County -- Authorizes the names on jurors list be determined from the voter registration lists. Amends Chapter 564, Private Acts of 1931, as amended. by *Crutchfield, *Albright.

ENGROSSED BILLS

April 4, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 47, 153, 157, 158, 159, 160, 163, 164, 165, 166, 180, 233, 234, 236, 237, 239, 240, 244, 252, 254, 255, 256, 261, 333, 658, 772, 887, 888, 889, 934, 937 and 1553; also, House Joint Resolution(s) No(s). 49, 187, 188, 189, 192, 193 and 198; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

THURSDAY, APRIL 4, 1991 -- THIRTY-FIRST LEGISLATIVE DAY

REPORT OF CHIEF ENROSSING CLERK
April 4, 1991

MR SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 299, 487, 738 and 1218; also, House Joint Resolution(s) No(s). 179 and 191; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS
April 4, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills(s) No(s). 300, 1001, 1261 and 1403; House Resolution(s) No(s). 37 and 38; also, House Joint Resolution(s) No(s). 166, 167, 168, 170, 171, 172, 173, 174 and 175; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, April 8, 1991.